

## United States District Court

NORTHERN

DISTRICT OF

NEW YORK

UNITED STATES OF AMERICA

U.S. DISTRICT COURT - N.D. OF N.Y.

FILED

FEB 10 2008

AT \_\_\_\_\_ O'CLOCK

Lawrence K. Baerman, Clerk - Binghamton

CRIMINAL COMPLAINT

Case Number: 3:08 MJ 42  
(64L)v.  
**LINDA O'CONNOR**  
**DEAN SACCO**

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. Between in and about January, 2004 through March, 2007 in Broome and Chenango counties, in the Northern District of New York defendant(s) did,

Defendant **LINDA O'CONNOR** did:

- 1) Being a parent, legal guardian, and person having custody and control of a minor, did offer to and did in fact sell and otherwise transfer custody and control of said minor to another adult male who traveled in interstate commerce:
  - a) with knowledge that as a consequence of the sale and transfer, the minor would be portrayed in a visual depiction engaging in and assisting another person to engage in sexually explicit conduct; and
  - b) with intent to promote the engaging in of sexually explicit conduct by said minor for the purpose of producing a visual depiction of such conduct; and the rendering of assistance by the minor to another person to engage in sexually explicit conduct for the purpose of producing a visual depiction of such conduct;
- 2) Being a parent, legal guardian, and person having custody and control of a minor, did knowingly permit said minor to engage in and to assist another person to engage in sexually explicit conduct for the purpose of producing a visual depiction of such conduct, and where the visual depiction was produced using materials that had been mailed, shipped and transported in

Defendant **DEAN SACCO** did:

- 1) Purchase and otherwise obtain custody and control of a minor after defendant had traveled in interstate commerce:
  - a) with knowledge that as a consequence of the purchase and obtaining of custody, the minor would be portrayed in a visual depiction engaging in and assisting defendant to engage in sexually explicit conduct; and
  - b) with intent to promote the engaging in of sexually explicit conduct by said minor for the purpose of producing a visual depiction of such conduct.
- 2) Did employ, use, persuade, induce, entice, and coerce a minor to engage in sexually explicit conduct for the purpose of producing a visual depiction of such conduct, and where the visual depiction was produced using materials that had been mailed, shipped and transported in interstate and foreign commerce by any means.
- 3) Did travel in interstate commerce for the purpose of engaging in illicit sexual conduct with a minor under eighteen (18) years of age.

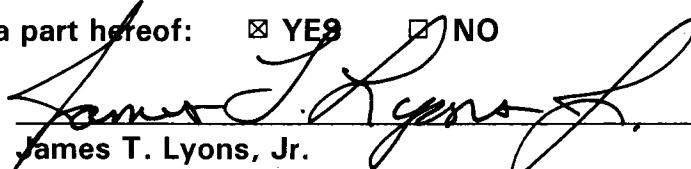
Defendants **LINDA O'CONNOR** and **DEAN SACCO**:

- 1) Did knowingly and willfully possess material which contains images of child pornography that have been mailed, shipped and transported in interstate and foreign commerce by any means, and which were produced using materials which have been mailed, shipped and transported in interstate and foreign commerce by any means.

in violation of Title 18, United States Code, Section(s) 2251A(a)&(b), 2251(a) & (b), 2423(b) and 2252A (a)(5)(B)

I further state that I am a FBI Special Agent and that this complaint is based on the following facts:

Continued on the attached sheet and made a part hereof:  YES  NO

  
\_\_\_\_\_  
James T. Lyons, Jr.  
Special Agent Federal Bureau of Investigation

Sworn to before me, and subscribed in my presence,

FEBRUARY 10, 2008

Date

at BINGHAMTON, NEW YORK

City and State

HON. THOMAS J. MCAVOY, Senior U.S. District Court Judge

Name and Title of Judicial Officer

  
\_\_\_\_\_  
Signature of Judicial Officer

**AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT**

James T. Lyons, Jr., having been duly sworn, states as follows:

1. I have been employed as a Special Agent of the Federal Bureau of Investigation (FBI) for eleven years. I am currently assigned to the Albany Field Division, Binghamton, New York Resident Agency. I am also a member of the Southern Tier Cyber Predator Task Force (STCPTF) which conducts cyber crime investigations to include the production, distribution, receipt, and possession of child pornography, and additional crimes against children involving computers and the internet. While assigned to the FBI office in Binghamton, New York, I have served as the Affiant in applications for search warrants and requests for interception of electronic and wire communications. I have also participated in a myriad of investigations as an FBI Special Agent, to include matters involving the sexual exploitation of children.
2. This affidavit contains information for the limited purpose of establishing probable cause to arrest and charge Linda O'Connor, date of birth: 02/27/1961, and Dean Sacco, date of birth: 05/31/1958, with violation of the Selling and Buying of Children, Production of Child Pornography, Possession of Child Pornography, and Travel with Intent to Engage in Illicit Sexual Conduct with a Minor, pursuant to Title 18, United States Code, Sections 2251A(a)&(b); 2251(a)&(b); 2252A(a)(5)(B); and 2423(b).

3. As this affidavit contains information for the limited purpose of establishing probable cause to arrest and charge O'Connor and Sacco, it does not set forth complete facts of all known information in this investigation. The details listed within this document represent statements, observations, and factual information that have been obtained by investigators from the Norwich Police Department (NPD), members of the STCPTF, and provided to your Affiant.

4. In January 2008, your Affiant was informed by a member of the STCPTF that the Norwich Police Department had arrested O'Connor for the misdemeanor offenses of Endangering the Welfare of a Child and Criminal Contempt, and Sacco was arrested for the felony offenses of Rape, Criminal Sex Act, and Course of Sexual Conduct Against a Child. The New York state charges against O'Connor and Sacco were related to a 13 year old girl (hereafter "victim") who was in the primary custody, care, and control of the victim's mother, Linda O'Connor.

5. In or about February 2007, the victim disclosed to a teacher at her school that the victim had sexual contact with an adult male. The victim made the disclosure when the victim asked the teacher "If someone older is having sex with someone younger, is it the younger person's fault?" The teacher notified the appropriate authorities who contacted officers at the NPD.

6. On or about March 2, 2007, NPD interviewed the victim and the victim made the following statement, in part:

"I want to state that I am 13 years old and I am in the 6th grade. What happened to me is that Dean Sacco had sex with me. Dean is 48 years old. He lives in New Jersey. That is what he told me. He owns the house my mother lives in. My mother's name is Linda O'Connor. She lives at 45 Fair Street in Norwich. My mother rents from Dean. Me and mom have lived in Norwich since August of 2006 and we have lived at 45 Fair Street since then.

By sex I mean that Dean Sacco put his penis inside my vagina. I know these things because of the science class I take from (my teacher). In school we are learning about puberty. I ended up telling (my teacher) what happened to me. I did not tell (my teacher) the name of the person who had sex with me. I told (my teacher) it was the landlord. Liz Chesebro came and spoke to me where I am living right now. Liz works for Chenango County CPS. I also told her what happened. I am actually staying with (names of foster parents). I am staying with them because they are foster parents right now. I am not living with my mom because she got into trouble.

Dean Sacco started having sex with me when I was 12 years old. Dean started having sex with me in August of 2006. That would be around the beginning of August. It was on a weekend day early in the morning. Dean owns the apartment that I live in with my mom and Dean comes to town on weekends to work on the building. Dean ended up staying in me and mom's apartment that night because he

told my mom he had no place to stay other than in his car. Dean woke me up very early in the morning. I was asleep on the couch and my mom was in my room in my bed. Dean was in the back bedroom where my mom would sleep. I woke up to Dean kissing me. When I woke up I was naked. Dean was also naked. I was scared. I did not know what was going on or what to say. Dean got on top of me while I was laying on the couch. He put his penis into my vagina and started to hump me. By this I mean he was going up and down on me. Dean had a boner. By this I mean it was hard. This hurt. Dean did this to me for about 10 minutes. My dog Buddy started to bark and Buddy bit Dean on the butt. I thought Dean was going to hit Buddy. Dean stopped and got off me. I could tell that Dean had a condom on. I could see it. The condom was the color of a doctor's glove. The color of a latex glove. I know what a condom is. I know that a condom protects from disease and from making babies. After Dean got off me and told me to keep quiet. Dean got dressed and when he got dressed he still had the condom on. I did not see where Dean put the condom. Dean left the house. I saw him later that day and Dean was acting like nothing happened. I did not see Dean again until November 2006.

Near the end of August (2006) my mom got sick and went into the hospital. I was supposed to stay with Mary Piper and her husband but that did not end up working out. I felt lonely. I was mad. I tried to hurt myself and ended up in Syracuse at a big

hospital. I ended up coming back to stay with mom but then went to stay with Renee Lang in Ninevah. I stayed with Renee for a month or so. I ended up back with my mom near the end of October.

Around the second week of November (2006) Dean showed up early on a Saturday. Dean talked with my mom a bit. They started to argue over money and papers for HUD. HUD is assistance for rent. Dean told me to ask my mom to come up to his apartment and to bring a board game. I asked my mom and she told me it was ok. I brought the game Sorry up with me. I really did not want to go up stairs and see him. I did not want to be around him but thought I had to.

When I got upstairs Dean started talking to me about having sex with me the last time he was in town. Dean told me not to tell anyone or my mom would go to jail. Dean also said that he would go to jail and that I would go into foster care. I did not say anything. I was scared. I did not know what to do. Dean then told me to get undressed and I did. Dean got undressed and was naked. Dean put a condom on his penis. His penis was hard. The condom came out of a red wrapper. Dean made me lay down on some foam cushions. He got on top of me and put his penis inside of me and started to have sex with me. While he was humping me Dean told me that I could not make any noise because my mom would hear us. Dean said this in a mean voice. While Dean was having sex

with me he made me get on top of him and made me hump him. I got scared and stopped. Dean started yelling at me and told me to listen to him and do what he told me. Dean pushed me off of him and pushed me down onto the ground and started to hump me. This hurt. Dean stopped and got off me. Dean told me to get dressed and fix my hair. I went down to my apartment and took a shower. I stayed in my room until I went to sleep. I did not see Dean again until around Thanksgiving.

On Thanksgiving (2006) Dean ate dinner with me and my mom. She made a turkey and other stuff. I did not eat. I was upset that Dean was at the house. Dean was smiley and cheerful. I kept quiet and did not say much. I was pretty upset. The day after Dean told me to come up to his apartment again. I went up. I did not want to. I thought I had to. Dean only had a shirt on when I got upstairs. Dean made me get on my knees. He shoved his penis in my mouth. His penis was hard. Dean started to make me gag with his penis. Dean came in my mouth. I know from science class that cum means to ejaculate. I felt sick when this happened. I was going to spit it out but Dean said, 'just swallow it'. I did what Dean told me to do. Dean then made me take off my clothes and he had sex with me. Dean wore a condom. Dean finished and I went back down stairs. The next time I saw Dean was in December (2006).

My birthday is in December. The day before my birthday my mom

had a cheese cake for me. I like my cheese cake without fruit. My mom invited Dean for that. I was upset and did not eat much of my cheese cake. The day of my birthday during the morning Dean told me to come up to his apartment to play a board game. I got upstairs and Dean told me that he was my birthday present. Dean made me give him a blow job. By this I mean that Dean made me put his penis in my mouth. Dean did not ejaculate in my mouth. Dean started to kiss my boobs. He then made me put a condom on his penis. Dean's penis was hard. The condom was out of a black wrapper. I remember that the condom wrapper said 'Ultra Thin'. Dean started to have sex with me. While Dean was having sex with me my mom knocked on the door. She did not come in. She yelled to me that my friend was at the house with her dad. Dean made me get dressed. He was very nervous. I did not see Dean for awhile after that. Dean did call the house and spoke with my mom. Dean then spoke with me. Dean was asking me if I told anyone. Dean told me that he thought I told on him and that he was going to get his passport to go to Mexico. I did not see Dean again until February (2007). January (2007) I did not see him because I was either at the YMCA or at my friend's house. If he did show up during the weekends in January (2007) I was gone from around the house.

Around the first couple weeks of February (2007) I was going to the YMCA during the weekend. Dean showed up. Dean brought me to the YMCA. We stayed there awhile and shot baskets. In the

afternoon we got back to the apartment. Dean told me to ask my mom if I could come up and play cards. Mom said it was ok. I went upstairs. When I got upstairs to Dean's apartment, Dean did not have clothes on and only had a cowboy hat on. I was scared. He told me to go to the back bedroom where the bed was in his apartment. I did. Dean made me give him a blow job. Dean did not ejaculate in my mouth. Dean made me lay down on a rug on the floor and he started to hump me. Dean did not have a condom on this time. I do not know if Dean ejaculated inside of me or not when he was having sex with me. I heard my mom yelling for me. I got dressed and went downstairs. The last time I saw Dean Sacco was about two weeks ago. I have not talked to him.

I never wanted to have sex with Dean. I was scared and thought I had to. Dean told me that me and my mom would have to move if I told. My mom was behind on rent with Dean. I am scared of Dean. He creeps me out. I am also late with my period. I am scared about that too. I have never had sex before. Dean is the only one that has had sex with me. I do not like Dean"

7. On March 14, 2007, while in the presence of NPD investigators, the victim placed a controlled telephone call to Sacco. Sacco is believed to have been in the state of New Jersey during this telephone call. The telephone conversation was recorded by NPD investigators. Your Affiant has reviewed this recorded conversation and it is evident to your Affiant that

Sacco admitted, in substance, that he had sexual contact with the victim.

8. On March 15, 2007, while in the presence of NPD investigators, the victim placed another controlled telephone call to Sacco. Sacco is believed to have been in the state of New Jersey during this telephone call. The telephone call was recorded by NPD investigators. Your Affiant has also reviewed this telephone conversation. Pursuant to reviewing this recorded telephone conversation, it is evident to your Affiant that Sacco admitted, in substance, that he had sexual contact with the victim. Attached and made part of this affidavit is one compact disc labeled "Exhibit 1" which contains the March 14th and 15th, 2007, recorded telephone conversations between Sacco and the victim. A copy of this compact disc will be provided to O'Connor and Sacco; however, the attached "Exhibit 1" will be maintained at the United States Attorney's Office, Binghamton, New York, due to the sensitive nature of the conversations and the age of the victim.

9. On or about March 19, 2007, NPD investigators filed felony charges against Sacco in Chenango County, New York. On or about March 19, 2007, Sacco was arrested in Jersey City, New Jersey by officers of the Jersey City Police Department. A Jersey City Police Officer located/identified Sacco at a New Jersey hospital after it appeared Sacco had attempted to commit suicide. On or about April 4, 2007, Sacco was transported from New Jersey to Chenango County, New York, where Sacco was

arraigned on multiple New York state felony charges and was remanded to the Chenango County Jail without bail.

10. Investigation conducted by NPD revealed that on or about November 26, 2006, Judge Howard Sullivan, Chenango County Family Court, issued an order that O'Connor was not to have the victim in the presence of Sacco without supervision. NPD learned the victim had previously disclosed to social services personnel that the victim was very uncomfortable being around Sacco.

11. On or about March 22, 2007, NPD investigators interviewed O'Connor in Norwich, New York, and O'Connor provided the following statement, in part:

"I want to state that I moved into 45 Fair Street on August 2nd of 2006. I moved there with my 12 year old daughter (victim). Me and (victim) were flood victims and Norwich is where I relocated us to. The landlord is Dean Sacco. Dean owns the property but lives out of state. Dean lived in Jersey City, New Jersey during the week and would stay in the upstairs apartment during weekends. I pay Dean \$600 a month in rent. At one point HUD started to pay some of my rent because I was not working. HUD started in January. Sometimes me and Dean would get into an argument over the rent if I got behind. Dean would threaten me and tell me that he would kick me and (victim) out. (Victim) was present for some of these arguments.

I started to have some financial difficulty and got behind on my

rent. I was in family court quite a bit with (victim) and social services got involved. There was a court order issued by Judge Sullivan dated 11/22/06 that I was not to let my daughter (victim) to be in the presence of Dean Sacco unsupervised. I ignored the order because I trusted Dean and did not see any reason to follow it. I let (victim) go with Dean unsupervised on several occasions after that order was issued. In the month of February 2007, I let (victim) go with Dean to go roller skating and to ride horses with a guy named Steve. I do not know Steve's last name. In February I let (victim) go to the YMCA with Dean, just the two of them. I have also let (victim) go to the upstairs apartment with Dean when Dean was staying in the upstairs apartment on weekends. This happened several times since this order by Judge Sullivan was issued.

I trusted Dean with (victim) and that was the only reason that I violated Judge Sullivan's court order. If I had known that Dean was having an improper relationship with (victim) I would have followed the order and had him arrested. I am sorry for not following the Judge's order"

12. Pursuant to the interview of O'Connor, NPD officers arrested O'Connor and charged O'Connor with the New York state misdemeanor offenses of Criminal Contempt and Endangering the Welfare of a Child.

13. Subsequent investigation by NPD confirmed that Sacco

was the landlord at O'Connor's and the victim's residence. NPD also confirmed that Sacco's primary residence was in New Jersey and that Sacco was employed in the state of New Jersey.

14. Sacco's criminal history record reflects that in or about 1992, Sacco was convicted in the state of New Jersey for the felony offenses of Kidnapping, Robbery, and Possession of a Weapon. Sacco's criminal history report also reflects that as a result of these felony convictions, Sacco was sentenced to a term of 21 years in New Jersey state prison. In addition, Sacco's criminal history report indicates that in or about May 2004, Sacco was arrested in the state of Connecticut and Sacco was charged with the misdemeanor offenses of Sex Assault, Reckless Endangerment, Breach of Peace, and the felony offense of Risk of Injury. As a result of this arrest and these charges, Sacco was sentenced to a period of incarceration.

15. In or about October 2007, NPD officers contacted a representative from the Broome County Child Advocacy Center (CAC), Binghamton, New York. A CAC representative informed NPD officers that the victim had been housed in a crisis center due to depression and suicidal thoughts. The CAC representative also informed NPD officers that the victim made additional disclosures regarding O'Connor and Sacco. The victim was subsequently interviewed and provided the following statement, in part:

"I am speaking with Detective Blenis about other things that Dean did to me and also what my mother, Linda O'Connor did. The

second time that Dean raped me, Dean had taken pictures of me naked. This was in October 2006. The rape happened in the upstairs apartment of where I lived at 45 Fair Street. Dean had taken pictures of me while I was naked. I remember Dean took about seven pictures of me. I did not want Dean to do this. I told Dean I did not want my pictures taken. Dean got mad at me and slapped me with the back of his hand. The camera that Dean had was a small hand held one. I could not tell what kind it was. I could see that there was a zoom lens on it. Dean took pictures of me and actually moved me around different ways and took pictures of me. That was the first time. I told my mom that Dean was doing things with me that he should not have. My mom told me, 'It's fine, we have a roof over our heads and it's better than being homeless'. I was mad at my mom for saying this. I was looking for help and she did not help me.

The second time was toward the end of October 2006. I was in my room listening to music. It was a weekend because Dean was up from New Jersey working on the house. While I was in my room, my mom and Dean came into my room. Dean told me to get undressed and to lie on the bed. Mom shut the door to my room and sat down in front of it. Dean started to rape me. I was able to see mom stand up and take pictures of me and Dean. Mom took quite a few pictures of Dean raping me. When Mom took pictures of me she would hold the camera a little ways away from her face. I could hear the camera click each time she took a picture. I was pretty

mad about this. When Dean was done he got dressed and left. Mom left my room also. I took a shower afterwards. I wanted to run away and tried to get out of my bedroom window but I could not get it open because it was painted shut.

The last time that Dean took pictures of me naked was in January or February of 2007. I was in foster care about three weeks after Dean took pictures of me. I was in the empty upstairs apartment with Dean at the apartment building. I was upstairs with Dean. Dean had candles burning all over the place. Dean got out the camera. Dean wanted me to take off my clothes and to have sex with me. I told Dean that I did not want to and that I might tell somebody about what was going on. Dean threatened me. Dean told me he was going to stab me and that while I was dying, he was going to slowly rape me. I was scared. I got undressed. Dean took a picture of us with him kissing my neck. He took a picture of this. Dean then raped me. When Dean was done he took a few more pictures of me.

I do not know where the camera is or where the pictures are that Dean took of me. Dean never mentioned this. I did not ask him. As for my Mom doing what she did, I have not spoken to her about it.

I am in a crisis center because I am having a hard time dealing with what has happened to me. I did not tell about the pictures

that were taken or what my Mom did because I was not ready to deal with it. I am now dealing with this the best that I can."

16. In or about November 2007, NPD officers re-interviewed O'Connor. O'Connor admitted that the victim told O'Connor that Sacco was "creepy". O'Connor also admitted she had seen Sacco in possession of a camera while Sacco was in Norwich, New York. O'Connor stated she observed Sacco taking pictures of the 45 Fair Street property in Norwich, New York. O'Connor became "agitated" when confronted by NPD investigators about the victim's allegations (sexual abuse) by Sacco and O'Connor. O'Connor indicated she had already answered all of NPD's questions regarding this matter and O'Connor terminated the interview.

17. In or about November 2007, a CAC representative contacted NPD and related the victim had made additional disclosures regarding sexual abuse by O'Connor. In or about early December 2007, the victim was re-interviewed at the CAC in Binghamton, New York. The following is a partial transcript of the early December 2007 CAC victim interview (the letters "SO" designate the victim and the letters "LC" and "DO" designate interviewing personnel):

LC: interviewer  
DO: interviewer

SO: is the VICTIM

LC: So did they tell you why you were coming here today?

SO: Yeah.

LC: Did they tell you today or yesterday?

SO: Yesterday, they increased my medicine trazadone...to 50 miligrams.

LC: Is that the one that helps you sleep?

SO: It's supposed to...

LC: But it's not...

SO: I fell asleep at 10...and the night before I had benedrill with it because I went to bed at 12:45.

LC: Do you remember who this is? (Liz points to Denise Oliver).

SO: Nope.

DO: That's okay, I was starting to tell...I'm Denise and I work here doing a lot of the interviews...and that is why I am sitting in today...so...is going to ask you questions and if I think of something I'll ask you and if you have questions you can ask us as we go along...and if you don't understand the question or do not know the answer then just say...I don't know...we don't want you to make anything up...we just want you to answer what really, really happened...that's why we're here to help you. That's why we ask you so many questions too...it's to see what we can do to help you, especially Liz...she's the case worker that will be working with you for a while...and ah...so we're glad you came back...glad that you are talking to us. I have an ear piece in...I don't know if Liz wants me to wear it or if you want to wear it...

LC: I don't want to wear it...I don't want to be distracted.

DO: I'll wear it...what it does is if they want to ask a question from the other room then there is not so many people in this room sitting with you so they can ask questions...So if I hear something from them then I am going to say they asked me a question and I'll ask you something from them too...ok?

LC: You remember last time when someone knocked on the door and told us to speak up a little bit? That way we will not have to be interrupted either, they can just talk in here...does that work for you.

SO: (shakes head in the affirmative).

LC: Nervous?

SO: (shakes head in the negative).

DO: Pat Blenis just told me to say hi to you.

SO: (laugh)

LC: (laugh)

LC: So you know why we are here today?

SO: (mmm)

LC: Right...?

LC: So where should we start?

LC: Where would it be good for you to start telling the events?

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SO: I don't know.

LC: Okay...cause you talked to Miss Lisa on Monday and told her some new things that you have not shared before. That you were not ready to share before. We have not talked since then. So I don't know what....I do not know all the details...Some times we do interviews like this and I all ready know the details...so I can maybe help you where to start? I don't know this time.

LC: A good place to start might be the very first time it happened?...The very, very, first time?

LC: Do you remember when that was?

SO: Yeah...

LC: You do?...okay...

SO: (shook head in the affirmative)...

SO: Um...it started with my mom trying to give me a bath...when I was like...11...12...and I would not let her because I was...like... all most a teenager and I don't need your help...and she kept trying...and she would not stop.

SO: And up to George's house I found them having sex. I went back to my room...then every weekend that we were there it would be every other night and he would make me stay up with him. And sometimes my mom would come out and he would touch me and she would touch me and there pictures of me on his computer.

LC: okay...

SO: And...like my mom would not stop and neither would he...like it was every other night because...my mom was there with him and then the next night he made me stay up with him. And...that happened...and I kept bugging my mom to just stay home and she because I hated it up there. She said "no"...we got into a lot fights about that. And then my mom kept touching me and stuff and she made me touch her and then we got to Norwich...it happened with the landlord. But also the time she took pictures she was involved too.

LC: Okay...

SO: And then they would do it and then make me do it with them. And...like...they just kept doing it.

LC: So this has been going on longer than we first knew...huh?

SO: (shakes head in affirmative)...that's why I was not ready to tell...that's why it took me so long to tell. And after that my mom would sometimes come up and like...be there...and do stuff...

SO: and you know how we used to go to Binghamton? Like when we were in Norwich my mom would take for like the weekends...At BEST WESTERN...well...my mom had two guys...one was like 40 and he had short black curly hair...and the other guy was like 30 or 31...he was black and they paid my mom to have sex with me.

LC: Are all these things that you talked with Miss Lisa about on Monday?

SO: (shook head in the affirmative).

LC: Okay...can be go back to the beginning...when you were 11 or 12 when you first remember feeling awkward with mom?

LC: So you would go and say I'm...going to take a shower or take a bath...what would she do?

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SO: she would...like when I was in there...she would come in and try to treat me like a little kid again...and I would say that I an take my own bath...and she would just stay in there and she just kept trying to...like...wash me and stuff...and I was like mom...I am all most a teenager...

LC: Did you try to tell her these things at the time?

SO: Yeah...she was like...well still...and she would not leave. And I felt...like really weird...that she was in the bathroom with me...and like...she...like...wouldn't stop.

LC: Before this would mom let you bathe by yourself?

SO: pretty much...like when I was younger...younger...she was there...but

LC: But when you were 9 or 10..she would just let you do your own thing?

SO: mmhhmm....

LC: And then just one day out of nowhere she just came into the bathroom?

SO: mmhhmm...

LC: Do you remember where you lived then?

SO: Yes...45...no wait...44 PINE STREET....oh no...It was 11 River Street...It was the last house we lived in.

LC: Before the flood?

SO: Yeah...it was 11 River Street...

DO: In Norwich?

SO: No...In Deposit...

DO: In Deposit?...I see.

LC: So it was in Deposit when you where 11 or 12...when you remember your mom doing these things...Did she ever tell you she had to wash you...did she give you a reason why?

SO: No...she just started touching me too...and I was like really stunned...and I was like...Mom's aren't supposed to do that...and she would not stop...so...and I just figured...well...what ever...and when we went out to George's house...like...she would participate in it...

DO: When you said she touched you when you were taking a shower...where did she touch you...what part of you did she touch?

SO: In my vagina.

DO: Any other place?

SO: like...she would try kissing me...

DO: where did she kiss you?

SO: on my neck and down on my vagina.

DO: and what did she say when she was doing that?

SO: She did not say anything....

DO: When you said she was in there and she was touching you...where you wearing anything or not wearing anything?

SO: Like when I was in the bathtub I wasn't.

DO: Okay...And then she was touching you when you where in the bath...

SO: ...She tried to wash me but I would not let her...and then I would be getting out and that was when she started to touch me.

DO: Okay...so you still did not have clothes on...or you did?

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SO: I didn't because I was getting out of the bathtub.

DO: Did she have clothes on or not have clothes on?

SO: Sometimes she did and sometimes she didn't.

DO: Okay...and you said sometimes she had you touch her?...Is that at the same time you were about 11? And where would she have you touch her?

SO: 11 or 12...in the same spots...

DO: Can you just say them for us?...I know it's not easy...but so we need to know exactly what happened...like I said...so we can help you.

SO: Like...in my vagina...

LC: When she wanted you to touch her...did she say something to you?

SO: She like...pulled my hand...

LC: So she would put your hand where she wanted to be touched?

SO: (shook head in the affirmative).

DO: And like...how many times do you think that happened...about?

SO: Just with her?

DO: Just when you were taking a bath when you were 11 or 12.

SO: Like...a lot...I do not know exact numbers...

LC: More than on two hands....?

SO: probably...

DO: Where you always at the house....the Pine Street or River Street.

SO: 11 River Street...

DO: 11 River Street...in Deposit?

SO: (shook head in the affirmative).

LC: You guys were living there by yourselves at that time...right? At that time?

SO: mmhhmm...

DO: Did she ever say anything to you at all about...like...if you tell some body?

SO: No...but when we were at George's house...like...they told me to keep it a secret...because people would not believe me.

DO: That's pretty sad...What's George's last name?

SO: LANG.

DO: And where does he live...where did he live?

SO: 101 MARSH POND ROAD in NINEVAH.

DO: And how old were you when that happened when you started going there with your mom?

SO: When we started going there I was 10...but...then nothing happened.

DO: When did things start happening?

SO: ...like...11 1/2 or 12...like just around the same time.

LC: Where did your mom meet the Lang's?...I don't think I ever asked you that before?

SO: I don't know...when we got our first computer...um...I guess they knew each other because...he would come over and fix it when there was nothing wrong with it... because my mom did not know how to use the computer...and he started coming over and they started becoming close friends...

LC: Okay...so about when you were 10 when you first met George and Renee.

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SO: And then my mom started changing totally...and she started drinking...and she became angry a lot and no matter what you did she became angry. That was not the mother I knew.

DO: What was she drinking...?

SO: Vodka...wine coolers and Smirnoff.

DO: How often did she drink?

SO: a lot...when ever we went up to George's house they would always drink.

DO: George would too?

SO: mmhmm...

DO: Have they ever given you any alcohol...

SO: umm...a couple of times...

DO: What did they give you?

SO: Vodka...but they would put four shots in it...but I went right to bed because it gave me a funny feeling...so...George said he planned for me to stay up and I was like...I was to tired.

DO: Did they tell you what was in it before they had you drink it?

SO: I saw them making it...

DO: You did?...

SO: Because my mom used to buy the vodka...

DO: Okay...

LC: So you would go there just during weekends?...or during the week sometimes too?

SO: During the weekends...and if there was like a thanksgiving break or no school...

LC: Aaahuh...but during the regular school weeks you would stay at your own house?

SO: mmhmm.

LC: Okay...

LC: So you would go up to George and Renee's...and the last time we talked...you talked about George touching you with his hands...

SO: mmhmm.

LC: Was that the first time that he did something to make you feel uncomfortable?

SO: no...

LC: and it was with...did he have sex with you?...or did he just touch you?...

SO: He just kept touching me with his fingers and having oral sex and stuff...

LC: Okay...just trying to get a sense of where things started with him...because I do not know the whole time line.

SO: Because when I found out that him and my mom were having sex...I asked her because...I thought it was gross...he is married and he is really old...and um...my mom was like...why would you think that...and then I found stuff on the computer of them writing...and I knew...and then...I told her that I knew...and that was when it started happening with George.

LC: Okay...so you walked in on them one time...

SO: yeah...but I went right back into my room.

LC: Is that the same time your mom came and got you and brought you back?

SO: No...it was about a week later...like that next weekend...because I kept confronting her and she was saying "no". I saw on the computer...I read your guy's emails...and she

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was like.."oh"...and then she knew that she could not lie no more...and she got me involved.

LC: Do you remember what time of year that was?

SO:...Christmas time...or...December 1<sup>st</sup>...and after that it started happening.

LC: So it sounds like it started happening for the first time when you were still 11?

SO: 11 1/2.

LC: Since your birthday is in December...it also happened when you were 12?

SO: mmhhmm...

LC: Okay...

SO:...he started taking pictures and stuff...and he put them on his computer...because he showed me them....and the computer is still there...with all them on it...

LC: When was the first time he raped you?

SO: Like touching me and stuff?...About...I don't know the exact date...I know it was around all most my birthday...around Christmas...

LC: Okay...that was around...

SO: ... that was two weekends later and that was Christmas vacation...

LC:...And this took place at George and Renee's house...or some where else?

SO: George and Renee's house...because Renee would take her diabetes medicine and she would fall right asleep...so George would kick her out of the living room and make her go to bed....and she did because she was so tired...and that's when...

LC: So...it would be in the living room that he would do these things to you.

SO: mmhmmm...

LC: Okay...do you remember how many times he would touch you with his fingers and force you to have oral sex with him?

SO: (pause) Like how many times?

LC: mmhmmm....

SO: more than on two hands...because...when it was a long vacation...it was every other night. My mom would stay up with him and then make me stay up with him the next night...and usually sometimes she would come out...and that happened a lot.

LC: When you guys were there...one night would be for your mom and him to be together...?

SO: mmhmmm...

LC: ...and then the next night would be for him to do things to you?

SO: mmhmmm.

LC: Did your mom know about it?...

SO: (shook head in the affirmative) She came out sometimes.

DO: She came out?...and was there?...is that what you mean?

SO: She did stuff too.

DO: Patrick has a question...what is your question?

DO: Your mom was there too...what would she do?

SO: She would...have oral sex with him and then make me do it...and she would touch me...and they would have sex...and then he would still try and touch me...but I would try to...like get away...and...he would not let me...and it was on the couch.

DO: Did it always happen in the living room?

LC: mmhmm.

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DO: Your doing really good...I just have to ask you to clarify when you said your mom had oral sex with George...what is oral sex.

SO: Giving him a blow job.

DO: Okay...I'd like you to describe what that is...

LC: The body parts involved...

DO: Because a lot of kids say...those words and they could mean something else...like we could guess what it is but I need you to just say it. It's ok because we have heard it a lot of times. I have done this job 20 years and I have heard a lot of things...so...Liz has been doing this for quite a while.

SO: ... a penis...

DO: Thank you for saying that...it's not easy but we need you to say it so we know that you know what it is...and did he have you both do that?...Like your mom and then you?

SO: (shook head in the affirmative).

DO: Did he say anything while that was happening?

SO: Well...no...he did have sex with my mom...and so...he would try and touch me...and he would not stop...he would just keep doing it...and then they would have me get involved.

DO: And how would they get you involved?

SO: They would make me touch him and then touch my mom...and

DO: And what part of him would you have to touch?

SO: His penis.

DO: And what part did you have to touch with?

SO: My hands and sometimes my mouth.

DO: And then did they also have you touch your mom?...Is that what you are saying?

SO: (shook head in the affirmative).

DO: And what part of her did they have you touch?

SO: Her breasts and her vagina.

DO: Did they say anything...like...

SO: Umm...they told me that nobody would believe me because...everyone knew George.

LC: In the past we talked about threats that were made...was anything that they said then...would you consider that a threat?

SO: When moved up to Norwich she told me that if I told...then she would find a way to get me back...and that there would be major consequences.

LC: What do you think those major consequences are?

SO: She never told me what they are...probably go after me...or...do something evil.

LC: What's considered evil?

SO: Like beating me.....

DO: I have to ask to ask you another question...about ...going back to where they were having sex together...can you tell me what having sex is? Because...remember what I said...we can't put words in your mouth...in order for us to know what it is...you have to say what you saw...

SO: umm...talking about sex...

DO: Did they have there clothes on or off?

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SO: Off.

DO: Any parts of their bodies touching?

SO: Yes...he had his penis in my mom's vagina.

DO: And did it ever happen to you?

SO: Not with him.

DO: Who did it happen with?

SO: The landlord...and then...two guys in the BEST WESTERN.

DO: And who's the landlord?

SO: DEAN SACCO.

DO: And do you know the names of the guys at the BEST WESTERN?

SO: No.

DO: And where was the BEST WESTERN?

SO: Umm...do you know where the mall is...the OAKDALE MALL?

DO: Uuuuh...

SO: Right across the street is the BEST WESTERN.

DO: And who would take you there...?

SO: My mom would get us bus tickets.

DO: From where...to where...

SO: There's a bus stop near DSS...and we get on the bus and you pay and you get a ticket...

DO: Where is the Bus stop...Norwich?

SO: Yeah...Norwich.

DO: Okay...so you went from Norwich to...Okay...your doing good...I just wanted to know what Town she took you from to the BEST WESTERN.

SO: Some times we would go to the mall and go shopping and stuff...and sometimes to Walmart...and just hang out. And twice my mom had one of the guys come over...and the first one...looked about 40...with short black curly hair.

DO: What did she say or what did he say...

SO: She said...wait in the bathroom...

LC: The lobby bathroom or the hotel room bathroom?

SO: The hotel room...my mom would come and get me...and told me to do what ever he asked me...and after he gave my mom the money.

DO: Do you know how much money?

SO: a hundred fifty....

DO: How do you know he gave her the money?

SO: Because I saw it...

DO: So that first one...you don't know what his name was...and what did he have you do.

SO: He had me take of my clothes and then his clothes and then lay down on the bed...and he started kissing me and then he had me touch him...and then he stuck his penis into me...

LC: Did he wear a condom?

SO: mmm..mmm. (Shook head in the negative).

DO: Is that the first time that somebody did that to you?

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SO: mmm...mmm. (shook head in the negative).

DO: Who else did that to you?

SO: The landlord...when we moved to Norwich...it happened....

DO: What did the man at BEST WESTERN say...say anything to you...

SO: he told me what to do...

DO: And was your mom in the room or out of the room?

SO: In the room.

DO: Did your mom say to do anything?

SO: mmmhhmm. (shook head in the affirmative).

DO: Did she participate at all?

SO: mmm...nnnn. (Shook head in the negative).

LC: Do you remember where in the room she was? You said you guys were on the bed.

SO: There was two beds... we got two beds...she would be sitting kinda across the room in a chair.

LC: Did she turn her back to that? Or did she watch?

SO: She watched.

DO: Was anyone drinking alcohol then?

SO: afterwards...my mom went over to the Giant...that is near the McDonalds that is across the street from the Best Western. She got some BAHAMA MAMMA WINE COOLERS...

LC: Did you go with your mom to buy these?

SO: mmmhhmm. (Shook head in the affirmative).

LC: Did you walk?

SO: ....she got ID'd and she made a joke about it...

DO: How old were you when you were in 6<sup>th</sup> grade?

SO: umm...I turned 13.

LC: When mom took you to BEST WESTERN...were you 12 or 13 then?

SO: I was 12...I know because we went shopping...

DO: But the first time it happened with that man?

SO: Umm...I think I was 12.

DO: Do you know if it was near your birthday?

SO: I know it was cold outside...it was late fall close to winter.

DO: Was it before school started or after?

SO: After...

LC: Do you remember what day of the week you guys went down?

SO: I did not go to school those days...

LC: So it was during the school week.

SO: mmmhhmm.

LC: So you were going shopping...that was the first time we are talking about...and you were going to the BEST WESTERN over by the mall....and did your mom check into the room?

SO: She checked in before we went shopping...

LC: Ok...so you went to Binghamton...you check into the hotel....whose name did she use?

SO: Her name....

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LC: Ok...so she gave the desk people her name...did you take your bags up stairs or anything?

SO: yup...she got two keys...one for me and one for her.

LC: When you got into the room that time was anyone else there?

SO: mmm...nnn...(shook head in the negative).

LC: So you left your stuff and then went to the mall.

SO: I got my hair straitened....chunky cheese....then shopping...

LC: What time do you think you came back to the hotel?

SO: About 9.

LC: So...late?

SO:...Yeah...we could not check in until a certain time because that had to clean the rooms.

LC: When you came back the second time...did your mom talk to anyone...?

SO: She talked to the desk person and then when we got up to the room she made some phone calls...then we went out and then we came back and about 10 minutes later the guy showed up.

LC: Do you know who your mom called?

SO: mmm...nnnn. (shook head in the negative).

LC: What did she talk about?

SO: She told me to leave the room

LC: Oh...so where did you go?

SO: I went upstairs to the vending machine.

LC: Was she on the phone before you left?

SO: She was like...dialing...and she told me to go away.

LC: How long do you think you were gone....

SO:...I got the stuff I wanted...Mountain Dew...she was off the phone.

LC: Was she by herself still?

11:02 hrs....

LC: Where you 12 or 13 that time...the second time that you went to the BEST WESTERN.

SO: It was right before I turned 13....we were still on vacation from school.

LC: Did you do the same thing...take a bus from Norwich?

LC: So the second time you went to the best western...walk me through what happened....

SO: ....went down stairs and came back up with the other guy.

LC: What did this man look like?

SO: He was black....about 30 / 31.

LC: Did he have glasses?

SO: mmm...nnn.

LC: Did he have any tattoos that you saw?

SO: He had a Chinese symbol...I have no idea what it meant.

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LC: Do you know where on his body it was?

SO: On his back (points to lower left back)...

LC: So your mom went down stairs...and came back up with this man...who you never seen before.

SO: mmmhhmmm.

LC: So she came back into the room...what were you doing...?

SO: I was watching animal planet.

LC: What happened from there..

SO: They both came in...mom took me aside...and told me same as last time....to do exactly what he said...and it would be over soon.

SO: I said ok. I walked over and started to take off my clothes and then he made me take his clothes off...and told me to get on the bed...started to kiss me...and made me have oral sex with him...and then made me have sex with him.

LC: Did he...when he made you do that to him...did he ejaculate?

SO: in my mouth...my mom just told me to swallow it.

LC: So mom was in the room with you this time...

SO: mmhmm...

LC: Similar to last time?

SO: This time she was eating a donut.

LC: So he ejaculated in your mouth...did he say anything.

SO: no...mom said swallow it and just keep going....

LC: When he had sex with you did he wear a condom?

SO: mmm...nnnn (shook head in the negative).

LC: When he was done my mom told me to go into the bathroom and get cleaned up and then he left....she had extra money. She took me to old county buffet....and ....we were looking around and got Christmas stuff....she had a lot of money.

LC: So you think this man paid your mom?

SO: mmmhhmmm. She had more money afterwards. It was sitting on the table.

LC: Was it dollar bills...

SO: mmhmm...

LC: So you said you stayed a couple of nights this time....did you see any other men this time?

SO: mmmmmnnnn. Me and my mom fought a lot.....

11:11 hrs....

DO: Pictures taken by mom and George....Patrick is asking a question....Are the pictures on the computer at George's house?...Did you ever see the pictures on the computer?

SO: Yes.

DO: Do you know how to get to the files?

SO: He had a password.

DO: DO you know the passwords?

SO: No.

DO: Do you know the programs they are under?\

SO: No...No one was allowed to touch his computer but him.

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DO: Do you think his wife gets on the computer.

SO: No. She was not allowed to touch it.

DO: Do you think she knows about the pictures.

SO: No...she is pretty clueless.

DO: Did your mom know how to get to those pictures?

SO: I am not sure.

DO: Who took the pictures.

SO: My mom did and a couple of times George did.

DO: What did she take pictures of.

SO: Me giving him a blow job.

DO: And when you say him, who do you mean?

SO: George.

DO: How many pictures did she take of that?

SO: like...three.

DO: and how old were you during that?

SO: 11 1/2.

DO:....was it the same day or different times?

SO: Different times.

SO: When we went back he took pictures of me and my mom.

DO: What did he take pictures of.

SO: her kissing me....me kissing her...

DO: Where were you kissing her...what parts of the body were you kissing?

SO: She was kissing my neck...and going downwards..and then she made me kiss...like her vagina.

DO: Did she have her clothes on or off?

SO: Off.

DO: Did you have your clothes on or off?

SO: Off.

DO: When you mom took the pictures when you where having oral sex with him...did you have your clothes on or off?

SO: Off.

DO: Were George's on or off?

SO: Off.

LC: Do you remember who's camera it was?

SO: George's.

LC: Do you remember what it looked like?

SO: It was like...old...black.

LC: Regular or digital...remember what kind it was?

SO: Don't know but you can get the pictures from the camera to the computer.

11:18 hrs...

DO: Is there anything else that happened that you want to tell us about?

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SO: Me having sex with the landlord and mom taking pictures....she would then put the camera down and get involved.

LC: In what way would she get involved?

SO: They would start kissing...and then they would make me kiss....

LC: When you say that they made you what do you mean?

SO: Grab my head and make me kiss him.

LC: Did he hurt you at all?

SO: No because I was not going to fight.

LC: So they would kiss...you would kiss him.

SO: My mom would get off the bed and he would have sex with me...and then he would stop and they would have it...and she would just lay there. She would then take pictures of me with him.

LC: He kind of went back and forth between you and your mom?

SO: mmmhmm...

LC: About what you told me last time....did he wear a condom that time?

SO: With my mom yes...not with me in the pictures...but towards the end he had it on...but then he just took it off because it was annoying because he said somebody should be able to feel it.

1133 hrs...

LC: Talking about your mom and Dean again....in your bedroom in Norwich...taking pictures...what other times was she involved?

SO: When I went upstairs...she would come up and she would...they would start kissing...and then my mom would come to me and my mom would be there and he would have sex with me...and then she would touch me and they would have sex...

LC: When Dean was having sex with you would she watch or partake in anyway...

SO: sometimes she would just sit...sometimes she would just come and start kissing me...and touching him and kissing him.

LC:.....

LC: The first time your mom was involved was when?

SO: When she took the pictures...

LC: So in your bedroom was the first time?

SO: (Shook head in the affirmative).

LC: How many times after that was your mom in the room or participating?

SO: 2 times after that...

LC: Both of those times were upstairs?

SO:....

LC: On your birthday...tell me what happened.

SO: He took me upstairs and told me that I was a big girl now...I was 13 and was a teenage and that I should do what he asked...and that I was being a good woman because I was doing everything that I was asked. He started kissing me...and undressed me...started having sex with me...and my mom came in from upstairs....started kissing

and took off her clothes....started kissing and then he started kissing me. She started to touch me. He then came over and started to kiss me...and he had sex with me and my mom came over and kept trying to kiss me on my neck and stuff.

LC: While he was having sex with you?

SO: (nodded head yes).

LC: While Dean was having sex with her did she make you do anything to her?

SO: She made me kiss her...touch her and kiss her.

DO: What part of her.

SO: In her vagina and her breasts....and down her body.

LC: And this is while he was having sex with you?

SO: He would stop...and still be in me.....and my mom would come and start kissing me.

LC: What was the other time she was involved upstairs?

SO: January?

LC: The first time upstairs was on your birthday and the second time was in January?

SO: Yeah...like....the last time he had sex with me.....it was just me and him.

LC: The second time mom was upstairs was it the same thing as before...she kissed you and made you kiss her...and made you have oral sex with her...did she have oral sex with you?

SO: (nodded head yes).

LC: On that time she did?

SO: (nodded head yes).

18. Pursuant to the December 2007 CAC victim interview, investigators confirmed that O'Connor rented a room at the Best Western Hotel, 569 Harry L. Drive, Johnson City, New York (Broome County) on the following dates:

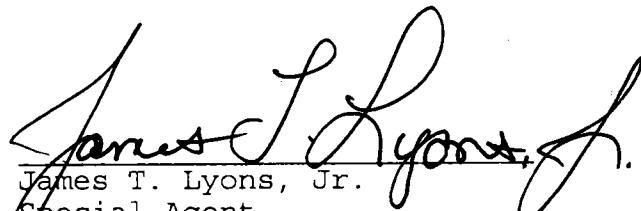
<u>Check-In Date</u>	<u>Check-Out Date</u>
08/01/2005	08/02/2005
02/11/2005	02/12/2005
02/17/2005	02/20/2005
03/31/2006	04/01/2006
12/01/2006	12/03/2006

During at least one of the above rentals, O'Connor provided the Best Western desk clerk with O'Connor's driver's license identification card which was subsequently photocopied by the Best Western desk clerk.

19. WHEREFORE, your Affiant submits that based upon all of the information presented above, which includes the victim's statements regarding sexual abuse and the photographing of the sexual abuse by O'Connor and Sacco; the March 14th and 15th, 2007, tape recorded telephone conversations between Sacco and the victim; Sacco's primary residence being in the state of New Jersey and Sacco's travel to Norwich, New York on weekends; the statements of the victim and O'Connor which indicate Sacco possessed a camera in Norwich, New York (it is logical to infer

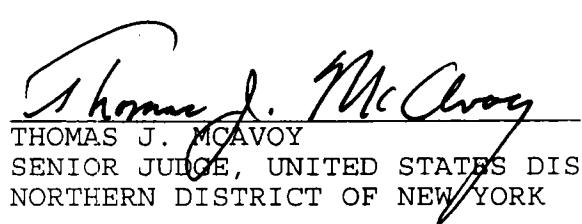
Sacco transported this camera in interstate commerce as his primary residence was in the state of New Jersey and not in Norwich, New York); there is probable cause to believe that O'Connor and Sacco committed violations of federal law to include the Selling and Buying of Children, Production of Child Pornography, Possession of Child Pornography, and Travel with Intent to Engage in Illicit Sexual Conduct with a Minor, all in violation of Title 18, United States Code, Sections 2251A(a)&(b); 2251(a)&(b); 2252A(a)(5)(B); and 2423(b).

20. Broome and Chenango Counties, New York are located within the Northern District of New York.



James T. Lyons, Jr.  
Special Agent  
Federal Bureau of Investigation

Sworn to and subscribed before  
me this 10th day of February, 2008



THOMAS J. MCAVOY  
SENIOR JUDGE, UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK